

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION

THOMAS M. WILSON, SR.,
DANIEL HALSEY as ADMINISTRATOR
of the ESTATE OF TAMARA HALSEY,
JASON GRAZUTIES, SANDRA
SHEPPARD, ROBERT BRADLEY, and
ARVADA MARTIN, Individually and on
behalf of all others similarly situated,

Plaintiffs,

Civil Action No. 2:16-CV-05279
Judge John T. Copenhaver, Jr.

v.

MRO CORPORATION,
CIOX HEALTH, LLC, and
MEDI-COPY SERVICES, INC,

Defendants.

**THE PARTIES' JOINT MOTION FOR PRELIMINARY APPROVAL OF
SETTLEMENT AND CERTIFICATION OF A SETTLEMENT CLASS**

NOW COME Thomas M. Wilson, Sr., Daniel Halsey as Administrator of the Estate of Tamara Halsey, Jason Grazuties, Sandra Sheppard, Robert Bradley, and Arvada Martin, individually and on behalf of all others similarly situated (hereinafter, "Named Plaintiffs"), and MRO Corporation, CIOX Health, LLC and Medi-Copy Services, Inc., (hereinafter, "Defendants") (collectively, the "Parties") and, hereby move this Honorable Court, pursuant to Rule 23 of the Federal Rules of Civil Procedure, for Preliminary Approval of Settlement and Certification of a Settlement Class. As set forth in the supporting memorandum of law, filed contemporaneously herewith and incorporated by reference, the proposed settlement is fair, reasonable and adequate. In addition, it is in the best interest of the Class members that the Class be certified for settlement purposes only and that the settlement be preliminarily approved.

WHEREFORE, the Parties respectfully request that this Honorable Court enter an Order of Preliminary Approval that (1) certifies a conditional settlement class under Rule 23 composed of class members as defined in the Settlement Agreement; (2) preliminarily approves the proposed settlement; (3) approves the proposed form and plan of notice to the class members; (4) appoints the Class Representatives and Class Counsel.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of July, 2017, I electronically filed the foregoing **“THE PARTIES’ JOINT MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT AND CERTIFICATION OF A SETTLEMENT CLASS”** via CM/ECF, which will provide notification and a copy of the filing to the all counsel of record, who also are signatories, above. There are no unrepresented parties.

/s/ William M. Tiano
William M. Tiano (WVSB #4308)
TIANO O'DELL PLLC